

REMARKS

The Examiner has rejected claims 1, 2, 6 and 10 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0033960A1 to Kazami in view of U.S. Patent 6,868,225 to Brown et al.. The Examiner has further rejected claims 7-9 and 12 under 35 U.S.C. 103(a) as being unpatentable over Kazami in view of Brown et al, and further in view of U.S. Patent 6,628,963 to Chung.

The Kazami publication discloses an image recording apparatus and method in which image files are recorded on a recording medium, and in which monitoring means monitors the files on the recording medium and causes certain of the recorded files to be deleted by deleting means in accordance with certain criteria.

The Brown et al. patent discloses a multimedia program bookmarking system.

The subject invention, as claimed in claims 1 and 10, includes the limitations "generating a first list of new content items to be stored, said first list being compiled by a user" and "uploading said first list to a server for selecting the new contents items to be downloaded to the user device".

The Examiner has conceded that Kazami fails to teach these limitation. The Examiner then states:

"Brown discloses in (figure 24) a list generated by a user. In addition, Brown teaches the invention provides a multimedia program bookmarking system. The system allows a user to save and retrieve bookmarks for several audio and/or video programs on a single device (column 1 lines 52-55). Moreover, Brown also discloses the system loads the associated bookmark information

for the user. Any bookmarks that do not have associated programs stored on the storage device are ignored and deleted (column 2 lines 8-13).

"Therefore, it would have been obvious at the time of the invention to include the use of a generation of a content list and to further load them to a server. This is a useful combination because it allows a system to compile various forms of videos and tag them for later use."

Applicants submit that the Examiner is misinterpreting Brown et al. In particular, while Brown et al. discloses that the user is able to compile a list of programs to be recorded, there is no disclosure or suggestion of "uploading said first list to a server for selecting the new contents items to be downloaded to the user device". In fact, the "server" does not select the new contents items to be downloaded to the user device. Rather, the "server" autonomously transmits programs to the user device on various channels, the user device merely recording the selected program at its appointed time and channel of delivery. Further, while the Brown et al. system "allows a user to save and retrieve bookmarks for several audio and/or video programs on a single device", it should be noted that this all occurs on the user device, there being no transferring of information to a server, and the server uploading a program to the user device based on any list.

The Chung patent discloses a portable multimedia player which includes a CD-ROM drive, memory 26 for storing MP3 files "downloaded by way of online communications" (col. 2, lines 55-59), and an MPEG audio section 62 for processing an audio signal, arguably from either memory 26 or from the CD-Rom drive.

However, Applicants submit that Chung does not supply that which is missing from Kazami and Brown et al., i.e., "uploading said first list to a server for selecting the new contents items to be downloaded to the user device".

In view of the above, Applicants believe that the subject invention, as claimed, is not rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1, 2, 6-8 and 10-12, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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